



George Latimer
County Executive

Department of Law

John M. Nonna
County Attorney

April 12, 2023

VIA CM/ECF

Hon. Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

Re: Joint Letter Motion for Extension of Briefing Schedule
Lane v. James et. al., No. 22-cv-10989 (KMK) (S.D.N.Y.)

Your Honor,

I write the Court to advise of the departure of ACA Phoenix Marino from the Office of the Westchester County Attorney and to further advise that the above captioned proceeding has been reassigned to Senior Assistant County Attorney MaryBeth Allen-Knecht and Assistant County Attorney Gianfranco Arlia. The County is aware of the briefing schedule set by Your Honor on March 20, 2023. Defendants' motions are currently due on April 20, 2023, Plaintiffs' response is due on May 22, 2023, and Defendants' reply is due on June 5, 2023.

In accordance with Rule 1(C) of Your Honor's Individual Rules of Practice dated February 5, 2020, defendant Miriam E. Rocah, in her official capacity as District Attorney for the County of Westchester, New York (hereinafter "DA Rocah" or "County"), together with our co-defendants Letitia James, in her official capacity as Attorney General of the State of New York and Steven Nigrelli, in his official capacity as Superintendent of the New York State Police (hereinafter "the State Defendants"), hereby request a two-week extension of time to file their respective motions.

This is the Defendants' first request for an extension of time to file a motion to dismiss and all parties consent to a two-week extension for each filing deadline. If it pleases the Court, the proposed briefing scheduled would be amended as follows:

1. Defendants' motions are due on May 4, 2023;
2. Plaintiffs' response is due on June 5, 2023; and
3. Defendants' replies are due on June 19, 2023.

(Remainder of Page Intentionally Left Blank)

Respectfully submitted,

JOHN M. NONNA

Westchester County Attorney

Attorney for County Defendants

By:


MaryBeth Allen-Knecht

Senior Assistant County Attorney

Office of the Westchester County Attorney

148 Martine Avenue, 6th Floor

White Plains, New York 10601

Tel. No.: (914) 995-4796

By:


Gianfranco Arlia

Assistant County Attorney, of Counsel

Michaelian Office Building

148 Martine Avenue, Room 600

White Plains, NY 10601

(914) 995-2696

MBAK/GA

CC: Nicolas J. Rotsko, Esq. (*via CM/ECF*)
PHILLIPS LYTLE, LLP
Counsel for Plaintiffs
One Canalside
125 Main Street
Buffalo, New York 14203-2887
nrotsko@phillipslytle.com

Yuval Rubinstein, Esq. (*via email*)
Counsel for State Defendants
28 Liberty Street
New York, New York 10005
yuval.rubinstein@ag.ny.gov